

ATTORNEY DOCKET NO.: 2001P14037WOUS  
**REMARKS**

Claims 1-20 were previously pending in the application. By the Amendment, Claims 1 and 4 are currently amended.

Claims 1-9 and 16-18 were rejected under 35 USC §102(b) and as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Cowans (US 5,802,863) in view of Gowans (US 4,784,712). Claims 7, 8, 15, 19 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cowans (US 5,802,863) in view of Gowans (US 4,784,712). Claims 1-9 and 15-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gowans (US 4,784,712) in view of Cowans (US 5,802,863). Claims 10-14 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Applicants wish to thank the Examiner for the indication of allowable subject matter.

Independent Claim 1 recites a refrigerator for changing the temperature of wine from a starting temperature to a final temperature, comprising: a housing surrounding at least one interior space for receiving a container of wine; a low temperature generator for cooling said interior space; a control device for receiving a target value signal and controlling a temperature of said interior space to a target temperature represented by said target value signal, by controlling operation of said low temperature generator; and a control element sending said target value signal to said control device with a level varying according to a prescribed course to the final temperature, wherein said prescribed course includes a number of steps.

Gowans discloses a temperature controller for converting an ordinary household refrigerator into a unit for storing wine for extended periods of time. The controller selectively enables and disables the supply of electrical power to the refrigerator to produce cooling intervals. The chiller (14) of the refrigerator is turned on to cool the refrigerator when the electrical power supply is enabled, and turned off when the supply is disabled. The sensed temperature within the refrigerator may increase when the power supply is disabled and the chiller (14) is turned off. (See FIG. 3 and col. 6, lines 27-32)

As acknowledged by the Examiner, Gowans does not disclose having a prescribed course, as recited in Claim 1. Cowans teaches a refrigerator for rapidly cooling down and

then maintaining a plurality of wine bottles of arbitrary configuration within a selected temperature range. Cowans attempts to solve the problem of chilling wine bottles on commercial aircrafts. Cowans is concerned with chilling wine bottles rapidly and then maintaining them at a chosen temperature. No where does Cowan disclose chilling wine bottles by using a prescribed course which includes a number of steps. Using such a course would be contrary to the teachings of Cowans since Cowans is concerned with rapidly cooling those wine bottles. While Gowans teaches enabling and disabling a supply of electrical power to a chiller to produce a first cooling interval and a second cooling interval wherein during the cooling intervals, the temperature of the chilled compartment is lowered to a user selected temperature in stages. However, there is no teaching or suggestion to combine for using such a method for lowering temperature as taught in Gowans with what is taught in Cowans, since Cowans is mainly concerned with rapidly cooling down and maintaining a plurality of wine bottles. Therefore, applicants maintain that the prior art does not teach or disclose all the limitations of claim 1.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 1-20 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,



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January 25, 2007

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